IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.3682 OF 2005
WITH
CRIMINAL APPLICATION NO.3683 OF 2005

Mr.Salil Atul Salvi ..Applicant

Vs.

Mr.Dilip Pathak &
Associates & Anr. ..Respondents

...
Mr.N.V.Vechalekar Advocate for Applicant
Mr.S.R.Shinde, A.P.P. in Cri.Application
No. 3682 of 2005
Mr.V.B.Konde-Deshmukh A.P.P. for State
in Cri.Application No. 3683 of 2005.
...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : JUNE 23,2005

P.C.

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State in both the matters.

2. The applicant is seeking quashing of process issued by the learned J.M.F.C. Wagdaon Maval, in C.C.No.571 of 2005 and 572 of 2005. The said cases are under Section 138 of Negotiable Instruments Act.

3. For the reasons recorded in my order dated 13th June, 2005 in W.P.No. 213 of 2005 and dated 21st June, 2005 in Cri.Application No.550 of 2005, in my view, it is clear that the applicant has an efficacious remedy of preferring revision against the order of Magistrate issuing process. Hence, in my view, it would be appropriate that the applicant prefers a revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the applicant to prefer the necessary revision before the concerned Sessions Court. Trial Court shall not proceed with the trial for a period of three weeks from today.

5. On the necessary revision being preferred by the applicant before the concerned Sessions Court, the concerned Sessions Court shall dispose of the matter on merits after hearing the necessary parties.

6. Criminal Applications are disposed of.

[V.K.TAHILRAMANI,J.]